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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,931	10/26/2000	Daigo Nakagawa	35.C14895	4328
5514	7590	02/11/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SAFAIPOUR, HOUSHANG	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 02/11/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability

Application No.

09/695,931

Examiner

Houshang Safaipoor

Applicant(s)

NAKAGAWA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 11/20/03.
2. ☒ The allowed claim(s) is/are 1,3,5-9,12-14,18,19 & 27 (renumbered 1-13).
3. ☒ The drawings filed on 28 November 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. <u>2</u> | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Allowable Subject Matter

Claims 1, 3, 5-9, 12-14, 18, 19 and 27 are allowed. The claims will be renumbered 1-13.

The following is statement of reasons for the indication of allowable subject matter.

Independent claim 1 of the instant invention recites an image reading apparatus comprising:

original pressing means having a surface opposed to the reading means for pressing the original to said reading means; and

a color reference member used as a color reference at the time when said information is read by said reading means;

wherein said color reference member is arranged between said reading means and said original pressing means, and said

original pressing means is inclined and disposed such that upstream end portion or a downstream end portion of the opposed surface is in contact with said reading means respectfully at an upstream side or a downstream side of said reading location, and the opposite end portion of said opposed surface is separated from said reading means by a predetermined distance.

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

Claims 3 and 5-9 depend, directly or indirectly, on claim 1, and are therefore allowable.

Independent claim 12 of the instant invention recites an image reading apparatus comprising:

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original pressing means for pressing the original to the reading means; and
a color reference member used as a color reference at the time when the information is read by said reading means, wherein said color reference member is arranged between said reading means and said original pressing means, and wherein a pressing location of said original pressing means is disposed only at a downstream side and upstream side of said reading location.

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipour whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9306 for regular

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EXAMINER'S AMENDMENT AND ALLOWANCE

SUPPLEMENTAL ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of issue fee.

Authorization for this examiner's amendment was given in telephone interview with John Krause (Reg. No. 24613) on December 30, 2003.

The application has been amended as follows:


Line 9 of page 5 (part of claim 18) to read:

The image reading apparatus according to claim 5 wherein the reading surface of said reading means is disposed inclined with the original conveying direction upstream side up and ...

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communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-0377.

Houshang Safaipoor
Patent Examiner
Art Unit 2622
December 31, 2003



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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600